



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,028	02/21/2006	Sotiris Theodorakakis	AP083-06	9142
29680	7590	01/23/2009		
DAVID A. GUERRA			EXAMINER	
INTERNATIONAL PATENT GROUP, LLC			SPAIN, GAY	
2025 17TH AVENUE N.W.				
CALGARY, AB T2M 0S7			ART UNIT	
CANADA			PAPER NUMBER	
			3635	
			MAIL DATE	
			DELIVERY MODE	
			01/23/2009	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/569,028

Applicant(s)

THEODORAKAKIS, SOTIRIS

Examiner

Gay Ann Spahn

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2008 and 04 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-23 is/are pending in the application.
- 4a) Of the above claim(s) 22 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Newly submitted claims 22 and 23 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

- I. Claims 4-21, drawn to a multimedia room system, classified in class 348, subclass 393.
- II. Claims 22 and 23, drawn to a method of using a multimedia room system, classified in class 700, subclass 94.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case, the claimed multimedia room system (i.e., product) can be used without executing any number of programs to view the monitors.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 22 and 23 are withdrawn from

consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Drawings

The drawings were received on 04 November 2008. These drawings are not acceptable to the examiner for the reasons set forth below.

The drawings are objected to because:

(1) according to 37 CFR 1.84(u)(1), "[w]here only a single view is used in an application to illustrate the claimed invention, it must not be numbered and the abbreviation "FIG." must not appear.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because:

(1) the abstract should be amended since a "construction method" is not being claimed and should describe the multimedia room system being claimed; and

(1) all occurrences of the word "programme" or "programmes" should be changed to the U.S. spelling of --program-- or --programs--, respectively.

Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

(1) page 1, clean copy of Substitute Specification filed 04 November 2008, line 1 of paragraph no. [0005], the statement "I am not aware if there is a level of a previous technique" is not clear;

(2) page 2, lines 2-3 of paragraph no. [0008], what is a "future or 3d television"?

(3) page 2, lines 3-4 of paragraph no. [0008], what is meant by "with approximations in some points, for better viewing"?

(4) page 2, lines 4-5 of paragraph no. [0008], the statement that "[t]he surface of the cube will be covered in screens" is not understood because if the television in a cube how can the cube or television be "covered in screens"?

(5) page 2, line 5 of paragraph no. [0008], the statement that "in the area there will be" is not understood because it is not clear what "area" is being discussed;

(6) page 2, line 6 of paragraph no. [0008], the reference to "air condition" is not understood because it is not clear if Applicant means an air conditioner or air conditioning system;

(7) page 2, lines 1-2 of paragraph no. [0010], the reference to "views of sky in bob, of the grass in floor, left the forest, right the valley" is not understood;

(8) page 3, line 4 of paragraph no. [0010], "Internet" should not be capitalized;

(9) page 3, line 4 of paragraph no. [0010], what is meant by "[t]he images will be prorated?"

(10) page 3, lines 7-9 of paragraph no. [0010], the statement "from commercially store in cube from a phial connected with the computer room will smell nicely" is not understood and has grammatical problems;

(11) page 3, line 4 of paragraph no. [0012], the word "drawings" should be changed to --drawing-- as there is only a single drawing;

(12) page 3, line 8 of paragraph no. [0012], the word "drawings" should be changed to --drawing-- as there is only a single drawing;

(13) page 4, line 1 of paragraph no. [0016], the word "In" should be changed to --An-- for proper grammar;

(14) page 5, line 1 of paragraph no. [0020], the words "Figure 1" should be changed to --The figure--;

(15) page 5, line 3 of paragraph no. [0024], the word "programme" should be changed to the U.S. spelling of --program--;

(16) page 5, line 2 of paragraph no. [0026], the word "programme" should be changed to the U.S. spelling of --program--;

(17) page 6, line 2 of paragraph no. [0027], the word "programme" should be changed to the U.S. spelling of --program--;

(18) page 6, line 4 of paragraph no. [0028], the word "programme" should be changed to the U.S. spelling of --program--;

(19) page 6, line 1 of paragraph no. [0030], the word "programmes" should be changed to the U.S. spelling of --programs--;

(20) page 6, line 1 of paragraph no. [0033], the word "programme" should be changed to the U.S. spelling of --program--;

(21) page 6, line 3 of paragraph no. [0033], the word "programmes" should be changed to the U.S. spelling of --programs--;

(22) page 7, line 1, the word "programme" should be changed to the U.S. spelling of --program--;

(23) page 7, line 1 of paragraph no. [0034], the word "Programme" should be changed to the U.S. spelling of --Program--;

(24) page 7, line 1 of paragraph no. [0035], the word "programme" should be changed to the U.S. spelling of --program--;

(25) page 7, line 2 of paragraph no. [0036], the word "programme" should be changed to the U.S. spelling of --program--;

(26) page 7, line 6 of paragraph no. [0038], the word "programme" should be changed to the U.S. spelling of --program--;

(27) page 7, line 1 of paragraph no. [0039], the word "Programme" should be changed to the U.S. spelling of --Program--;

(28) page 7, line 1 of paragraph no. [0040], the word "programme" should be changed to the U.S. spelling of --program--;

(29) page 7, line 3 of paragraph no. [0040], it is believed that the word "ore" should be changed to --one's--;

(30) page 8, line 4 of paragraph no. [0041], the word "programme" should be changed to the U.S. spelling of --program--;

(31) page 8, line 1 of paragraph no. [0042], the word "Programme" should be changed to the U.S. spelling of --Program--;

(32) page 8, line 1 of paragraph no. [0043], the word "programmes" should be changed to the U.S. spelling of --programs--;

(33) page 8, line 1 of paragraph no. [0044], the word "programmes" should be changed to the U.S. spelling of --programs--;

(34) page 8, line 2 of paragraph no. [0046], the word "Internet" should not be capitalized;

(35) page 9, line 1 of paragraph no. [0048], the word "programme" should be changed to the U.S. spelling of --program--;

(36) page 9, line 3 of paragraph no. [0048], the word "programme" should be changed to the U.S. spelling of --program--;

(37) page 11, line 1 of paragraph no. [0058], the word "odour" should be changed to the U.S. spelling of --odor--;

(38) page 11, line 3 of paragraph no. [0058], both occurrences of the word "odours" should be changed to the U.S. spelling of --odors--;

(39) page 11, line 4 of paragraph no. [0058], the word "odours" should be changed to the U.S. spelling of --odors--;

(40) page 11, line 6 of paragraph no. [0058], the word "odour" should be changed to the U.S. spelling of --odor--;

(41) page 11, line 8 of paragraph no. [0058], the word "odours" should be changed to the U.S. spelling of --odors--and the word "Internet" should not be capitalized; and

(42) page 11, line 1 of paragraph no. [0058], the word "odours" should be changed to the U.S. spelling of --odors--.

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Since many examiners use the title of the invention for searching purposes, the examiner suggests that Applicant amend the title of the invention to one that is clearly indicative of the patentable feature of the invention. However, should Applicant choose not to amend the title of the invention, the examiner will amend the title of the invention at the time of allowance, if any (pursuant to the Manual of Patent Examining Procedure (MPEP) § 606.01, wherein it states that "[i]f a satisfactory title is not supplied by the applicant, the examiner may, at the time of allowance, change the title by examiner's amendment.").

Claim Objections

Claim 4-21 are objected to because of the following informalities:

(1) **claims 4-21**, according to the Manual of Patent Examining Procedure (MPEP), § 608.01(m), entitled "Form of Claims", "[w]hile there is no set statutory form for claims, the present Office practice is to insist that each claim must be the object of a sentence starting with 'I (or we) claim,' 'The invention claimed is' (or the equivalent)" and therefore, the centered "CLAIMS" at the top of page 8 should be changed to "I claim:" or "The invention claimed is:" or similar;

(2) **claim 7**, line 3, the word "whishes" should be changed to --wishes--;

(3) **claim 14**, lines 2 and 3, the word "odour" should be changed to the U.S. spelling --odor--; and

- (4) **claim 16**, line 3, the word "whishes" should be changed to --wishes--
.Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 4-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 4, lines 4-5, and **claim 15**, lines 3-4, the recitation of "a plurality of display monitors located on said walls and ceiling in an adjacent manner to completely cover said walls, said ceiling and said floor" constitutes new matter as not being supported by the original disclosure. The examiner notes that the original disclosure, page 1, lines 31-32, states "[t]he rooms will be covered by monitors from wall to wall, as well as on the ceiling", page 2, lines 31-32, states "the ceiling or the surrounding walls where the surfaces will be covered by monitors", and page 5, lines 6-9, states "[n]ow, based on this idea, future televisions will be large boxes in which the spectator will enter, with large monitors everywhere as well as on the ceiling and on the floor". This original disclosure does not support that the floor is covered with monitors nor that the walls,

ceiling and floor are "completely" covered with monitors. Further, the word "display" does not appear in the original specification so that there is no support for "display" monitors.

Claim 4, lines 7-10, the recitation of "a central unit . . . in communication with said monitors and said cameras, said monitors and said cameras being controlled by said central unit, said control unit being adapted to execute at least one program" constitutes new matter as not supported by the original disclosure. The examiner cannot find any support in the original disclosure for the central unit being in communication with said monitors and said cameras and controlled thereby.

Claim 15, lines 9-12, the recitation of "a central unit . . . in communication with said monitors and said cameras, said monitors and said cameras being controlled by said central unit, said control unit being adapted to execute at least one program and to communicate with the internet" constitutes new matter as not supported by the original disclosure. The examiner cannot find any support in the original disclosure for the central unit being in communication with said monitors and said cameras and controlled thereby.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4, lines 4-5, the recitation of "a plurality of display monitors located on said walls and ceiling in an adjacent manner to completely cover said walls, said ceiling and said floor" is vague, indefinite, and confusing as not being clear. If the plurality of display monitors are located only on said walls and ceiling, how can they completely cover the floor?

Claim 4, line 9, the recitation of "said control unit" is vague, indefinite, and confusing as lacking antecedent basis since no "control unit" has been previously introduced, only a "central unit" so that it is not clear if applicant is trying to recite additional structure.

Claim 11, line 2, the recitation of "comprising an air condition" is vague, indefinite, and confusing as not being clear. What is meant by "an air condition"? Does Applicant mean an air conditioner or an air conditioning system?

Claim 15, lines 3-4, the recitation of "a plurality of display monitors located on said walls and ceiling in an adjacent manner to completely cover said walls, said ceiling and said floor" is vague, indefinite, and confusing as not being clear. If the plurality of display monitors are located only on said walls and ceiling, how can they completely cover the floor?

Claim 15, line 11, the recitation of "said control unit" is vague, indefinite, and confusing as lacking antecedent basis since no "control unit" has been previously introduced, only a "central unit" so that it is not clear if applicant is trying to recite additional structure.

Claim 18, line 2, the recitation of "a remote control" is vague, indefinite, and confusing as lacking antecedent basis because it is not clear if this is referring back to the remote control introduced in claim 15 or is reciting an additional remote control.

Claim 18, line 2, the recitation of "said first camera" is vague, indefinite, and confusing as lacking antecedent basis because it is not clear if this is referring back to the at least two cameras introduced in claim 15.

Claim 20, line 2, the recitation of "comprising an air condition" is vague, indefinite, and confusing as not being clear. What is meant by "an air condition"? Does Applicant mean an air conditioner or an air conditioning system?

Claim Rejections - 35 USC § 102 and 103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 and 12 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over RITCHEY (U.S. Patent No. 5,130,794).

As to claim 4 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses a multimedia room system for meditation of a user, said multimedia room system comprising:

a room (Fig. 32) having a door, four walls, a ceiling, and a floor;

a plurality of display monitors (17, 17) located on said walls and ceiling in an adjacent manner to completely cover said walls, said ceiling and said floor;

at least two cameras (see omniscient panoramic camcorder system in upper right hand corner of Fig. 32 and col. 1, lines 33-49) located in said room; and

a central unit (117) located remote from said room and in communication with said monitors and said cameras, said monitors and said cameras being controlled by said central unit (117), said control unit "being adapted to execute at least one program" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

In the alternative, if RITCHEY fails to disclose that at least two cameras are located in the room, then it certainly would have been obvious to one of ordinary skill in the art at the time the invention was made to locate the at least two cameras in the room in order to be better able to keep track of the all the equipment necessary for use of the multimedia room system.

As to claim 5 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as

discussed above, and RITCHEY also discloses that one of said cameras "being adapted to record images in said room for said program of said central unit" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks), and the other of said cameras "being adapted to monitor said room" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

As to claim 6 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above, and RITCHEY also discloses an armchair (see Fig. 36) "locatable in said room" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

As to claim 12 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above, and RITCHEY also discloses that said central unit (117) "being adapted to communicate with the internet" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794) in view of LEFKOWITZ ET AL. (U.S. Patent No. 4,524,384).

As to claim 7 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 6 as discussed above.

RITCHEY fails to explicitly disclose a button to indicate to a person located in said central unit that the user wishes [sic – wishes] to leave said room.

LEFKOWITZ ET AL. disclose that it is well known in the art to include a button (doorbell 30) in a room to indicate to a person located in said central unit that the user wishes [sic – wishes] to leave said room (see col. 5, lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including in the room, a button to indicate to a person located in said central unit that the user wishes to leave said room as taught by LEFKOWITZ ET AL. in order to make it easier for a user to exit the room system when desired.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794) in view of LEFKOWITZ ET AL. (U.S. Patent No. 4,524,384), as applied to claim 7 above, and further in view of POLLACK (U.S. Patent No. 4,454,374).

As to claim 8 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively,

discussed above), RITCHEY in view of LEFKOWITZ ET AL. disclose the multimedia room system of claim 7 as discussed above.

Neither RITCHEY nor LEFKOWITZ ET AL. explicitly discloses a clock.

POLLACK discloses that it is extremely well known to have clocks (20 in Fig. 1) in rooms.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of LEFKOWITZ ET AL. by including a clock in the room as taught by POLLACK in order for a user to be able to tell when his/her time in the room system is up.

Claims 9, 15, and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794) in view of ROSSTEUTSCHER (U.S. Patent No. 3,660,740).

As to claim 9 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 6 as discussed above.

RITCHEY fails to explicitly disclose a remote control located in front of said armchair for coordinating said camera for recording images.

ROSSTEUTSCHER discloses that it is well known have a remote controller to control television monitors from a chair (see col. 1, lines 16-22).

The examiner takes official notice that it is notoriously well known to locate remote controls in front of armchairs for ease of finding/using the remote control.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including a remote control as taught by ROSSTEUTSCHER and by locating the remote controller in front of the armchair in order for a user to be able to control the display without having to leave the comfort of his chair.

As to claim 15 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses a multimedia room system comprising:

- a room (Fig. 32) having a door (131), four walls, a ceiling, and a floor;
- a plurality of display monitors (17, 17) located on said walls and ceiling in an adjacent manner to completely cover said walls, said ceiling and said floor;
- at least two cameras (see omnilens panoramic camcorder system in upper right hand corner of Fig. 32 and col. 1, lines 33-49) located in said room;
- an armchair (see Fig. 36) "locatable in said room" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks); and
- a central unit (117) located remote from said room and in communication with said monitors and said cameras, said monitors and said cameras being controlled by said central unit (117), said control unit "being adapted to execute at least one program and to communicate with the internet" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

wherein one of said cameras "is adapted to record for said program of said central unit" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks), and the other of said cameras "being adapted to monitor said room" (the structure of RITCHEY is capable of performing the recited intended use within quotation marks).

RITCHEY fails to explicitly disclose a remote control locatable in front of said armchair for coordinating one of said cameras.

ROSSTEUTSCHER discloses that it is well known have a remote controller "locatable in front of said air chair for coordinating one of said cameras" (the structure of ROSSTEUTSCHER is capable of performing the recited intended use within quotation marks) in order to control television monitors from a chair (see col. 1, lines 16-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including a remote control as taught by ROSSTEUTSCHER in order for a user to be able to control the display without having to leave the comfort of his chair.

In the alternative, if RITCHEY fails to disclose that at least two cameras are located in the room, then it certainly would have been obvious to one of ordinary skill in the art at the time the invention was made to locate the at least two cameras in the room in order to be better able to keep track of the all the equipment necessary for use of the multimedia room system.

As to claim 18 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively,

discussed above), RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above, and ROSSTEUTSCHER discloses that remote controls “for coordinating said first camera” (the structure of ROSSTEUTSCHER is capable of performing the recited intended use within quotation marks) are well known in the art.

Neither RITCHEY nor ROSSTEUTSCHER explicitly discloses that the remote control is located in front of said armchair for coordinating said first camera.

The examiner takes official notice that it is notoriously well known to locate remote controls in front of armchairs for ease of finding/using the remote control.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of ROSSTEUTSCHER by locating the remote control in front of the airchair in order for a user to be able to control the display without having to leave the comfort of his chair.

As to claim 19 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above.

Neither RITCHEY nor ROSSTEUTSCHER explicitly disclose that said ceiling in said room further comprising a rotating round monitor.

The examiner takes official notice that rotating monitors are well known in the art.

However, it is well settled that changes in shape do not constitute a patentable difference. See *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966), wherein the

court held that the configuration of the claimed disposable plastic nursing container was a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular configuration of the claimed container was significant.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of ROSSTEUTSCHER by including a rotating round monitor on the ceiling in order to optimize the enjoyment of the user of the room and because changes in shape do not constitute a patentable difference.

As to claim 20 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above.

Neither RITCHEY nor ROSSTEUTSCHER explicitly disclose an air-condition, and a smoke absorption system.

The examiner takes official notice that it is well known in the art to have air conditioning in a room as well as a smoke absorption system for a room.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of ROSSTEUTSCHER by including an air-conditioning system and a smoke absorption system in order to optimize the enjoyment of the user of the room by keeping the room at a comfortable temperature, even during the summer, and by allowing user's to smoke

in the room for their enjoyment, but removing the odor so that the next user does not have to smell the smoke.

As to claim 21 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above.

Neither RITCHEY nor ROSSTEUTSCHER explicitly disclose a wireless camera adapted to be monitored from inside said room.

The examiner takes official notice that wireless cameras are well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of ROSSTEUTSCHER by including wireless camera adapted to be monitored from inside said room in order to not have to contend with the wires of a camera that has wires.

Claim 10, 11, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794).

As to claim 10 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above.

RITCHEY fails to explicitly disclose that said ceiling in said room further comprising a rotating round monitor.

The examiner takes official notice that rotating monitors are well known in the art.

However, it is well settled that changes in shape do not constitute a patentable difference. See *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966), wherein the court held that the configuration of the claimed disposable plastic nursing container was a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular configuration of the claimed container was significant.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including a rotating round monitor on the ceiling in order to optimize the enjoyment of the user of the room and because changes in shape do not constitute a patentable difference.

As to claim 11 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above.

RITCHEY fails to explicitly disclose an air-condition, and a smoke absorption system.

The examiner takes official notice that it is well known in the art to have air conditioning in a room as well as a smoke absorption system for a room.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including an air-conditioning system and a smoke absorption system in order to optimize the enjoyment of the user of the room by keeping the room at a comfortable temperature, even during the summer, and by allowing user's to smoke in the room for their enjoyment, but removing the odor so that the next user does not have to smell the smoke.

As to claim 13 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above.

RITCHEY fails to explicitly disclose a wireless camera adapted to be monitored from inside said room.

The examiner takes official notice that wireless cameras are well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including wireless camera adapted to be monitored from inside said room in order to not have to contend with the wires of a camera that has wires.

As to claim 14 (and as best understood despite the 35 U.S.C. § 112, first and second paragraph, lack of written description and indefiniteness, respectively, discussed above), RITCHEY discloses the multimedia room system of claim 4 as discussed above.

RITCHEY fails to explicitly disclose a refillable odour cartridge connectable to said central unit which controls the activation of said odour cartridge.

The examiner takes official notice that it is notoriously well known for a room to have a refillable odour cartridge which is connectable to a central unit for controlling the activation of said odour cartridge.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY by including a refillable odour cartridge connectable to said central unit which controls the activation of said odour cartridge in order to optimize the enjoyment of the user of the room by providing a pleasant smell.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794) in view of ROSSTEUTSCHER (U.S. Patent No. 3,660,740) , as applied to claim 15 above, and further in view of LEFKOWITZ ET AL. (U.S. Patent No. 4,524,384).

As to claim 16 a refillable odour cartridge connectable to said central unit which controls the activation of said odour cartridge, RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above.

Neither RITCHEY nor ROSSTEUTSCHER explicitly discloses a button to indicate to a person located in said central unit that the user wishes to leave said room.

LEFKOWITZ ET AL. disclose that it is well known in the art to include a button (doorbell 30) in a room to indicate to a person located in said central unit that the user wishes [sic – wishes] to leave said room (see col. 5, lines 1-8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of ROSSTEUTSCHER by including in the room, a button to indicate to a person located in said central unit that the user wishes to leave said room as taught by LEFKOWITZ ET AL. in order to make it easier for a user to exit the room system when desired.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over RITCHEY (U.S. Patent No. 5,130,794) in view of ROSSTEUTSCHER (U.S. Patent No. 3,660,740), as applied to claim 15 above, and further in view of POLLACK (U.S. Patent No. 4,454,374).

As to claim 17 a refillable odour cartridge connectable to said central unit which controls the activation of said odour cartridge, RITCHEY in view of ROSSTEUTSCHER discloses the multimedia room system of claim 15 as discussed above.

Neither RITCHEY nor ROSSTEUTSCHER explicitly discloses a clock.

POLLACK discloses that it is extremely well known to have clocks (20 in Fig. 1) in rooms.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the room system of RITCHEY in view of

ROSSTEUTSCHER by including a clock in the room as taught by POLLACK in order for a user to be able to tell when his/her time in the room system is up.

Response to Arguments

Applicant's arguments with respect to claims 4-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Friday, 10:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571)-272-6777. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gay Ann Spahn/
Gay Ann Spahn, Primary Examiner
January 20, 2009